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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,322	03/26/2001	Barry Lynn Royer	2001P04776 US	8854

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Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
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EXAMINER

NGUYEN, VAN H

ART UNIT PAPER NUMBER

2194

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,322

Applicant(s)

ROYER ET AL.

Examiner

VAN H. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/16/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed December 19, 2005. Claims 1-24 are pending in this application.
2. The cross reference related to the application cited in the specification must be updated (i.e., update the relevant status, with PTO serial numbers or patent numbers where appropriate, on the preliminary amendment filed April 09, 2002. Correction is required.

Information Disclosure Statement

3. The Applicants' IDS, filed January 16, 2006, has been received, entered into the record, and considered. See attached form PTO 1449.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cohen et al.** (U.S. 6,178,511) in view of **Tran** (U.S. 6,505,238).

As to claim 1, Cohen teaches the invention substantially as claimed including a system for use in a first application concurrently operating together with a plurality of network compatible applications (*see the Abstract and col.2, line 24-col.3, line 16*), comprising:

an entitlement processor (*an authentication module 21*) for enabling user (*a given user*) access (*access*) to a first application (*a particular application*) of a plurality of concurrently operating applications (*applications*) in response to validation (*authenticates*) of user identification information (*information about users, username, password*) (*see fig.2 and the accompanying text beginning at col.4, line 36*);

a communication processor employed by the first application of the plurality of concurrently operating applications for intermittently communicating an activity indication being generated in response to user action and being communicated sufficiently often (*see fig.5 and the graphical user interface discussion beginning at col.6, line 19*) during normal operation of the first application by the managing application in response to the timeout window being exceeded (*see the timeout discussion beginning at col.11, line 35*).

While Cohen teaches *define either minimum_timeout or maximum_timeout*, Cohen does not specifically teach prevent an inactivity timeout.

Tran teaches prevent an inactivity timeout (*see the monitoring timeout condition discussion beginning at col.9, line 43*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Tran and Cohen because Tran's teaching would have provided the capability for remotely logging to a network's server via a web browser over the Internet and providing secure access to a user's particular desktop.

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As to claim 2, Tran teaches intermittently communicating an activity indication prevents an inactivity timeout of the plurality of concurrently operating applications of a particular user initiated session (*see the monitoring timeout condition discussion beginning at col.9, line 43*).

As to claim 3, Cohen teaches the communication processor stores a plurality of activity indications and sends the plurality of activity indications as a batch to the managing application (*see col.6, lines 38-59*).

As to claim 4, Cohen teaches the normal operation comprises application operation exclusive of abnormal operation comprising an application failure (*see the rc_success, rc_error discussion beginning at col.10, line 25*) and the user action comprises, among other things, keyboard activity (*col.6, lines 8-18*).

As to claim 5, Cohen teaches the first application and the managing application reside in the same PC and the activity indication notifies the managing application of activity by the first application and includes, among other things, a session identifier for identifying a particular user initiated session (*col.5, line 30-col.6, line 7*).

As to claim 6, Cohen teaches the communication processor intermittently communicates activity indications to the managing application using a plurality of different commands including an activity notification command and a command involving, among other things, determining a user operation session identifier from the managing application (*col.5, lines 30-40*).

As to claim 7, Cohen teaches the communication processor communicates to the managing application a request to receive an activity indication associated with the first

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application and maintained by the managing application, the activity indication indicating time since the last activity update (*col.8, lines 45-67*).

As to claim 8, Cohen teaches individual applications of the plurality of concurrently operating applications independently intermittently communicate an activity indication to the managing application (*col.6, line 60-col.7, line 20*) and a browser application providing a user interface display permitting user entry of identification information for validation by the entitlement processor (*see fig.5 and the graphical user interface discussion beginning at col.6, line 19.*)

As to claim 9, Cohen teaches the communication processor communicates a time-out threshold value comprising the timeout window to the managing application (*see the timeout discussion beginning at col.11, line 35*).

As to claim 10, the rejection of claim 1 above is incorporated herein in full.

Additionally, Cohen further teaches:

a comparator for comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold (*see fig.5*); and

an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications (*col.8, lines 45-62*)

As to claim 11, Cohen teaches the activity indications received by the input processor are provided in response to a user action (*col.6, lines 10-13*) and the user action comprises, among other things, keyboard activity (*col.6, lines 8-18*).

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As to claim 12, Cohen teaches an activity status indicator comprises a time indication identifying when activity of a particular application was last reported, and the time-out threshold comprises a predetermined time duration and the managing application determines the particular application to be inactive if the time indication exceeds the time-out threshold (*see the timeout discussion beginning at col.11, line 35*).

As to claim 13, refer to claim 6 above for rejection.

As to claim 14, Cohen teaches the communication processor communicates notice of the application time-out event to applications of the plurality of concurrently operating applications that have previously requested a notification of session termination (*col.6, lines 1-7*).

As to claim 15, Cohen teaches the communication processor communicates notice of the application time-out event in response to, among other things, a received communication from an application session having previously produced a time-out event (*col.5, line 59-col.6, line 7*).

As to claim 16, Cohen teaches the activity indication includes, among other things, an identification of particular user initiated session (*col.5, line 30-col.6, line 7*).

As to claim 17, Cohen teaches a common timeout period for the plurality of concurrently operating applications (*see the timeout discussion beginning at col.11, line 35*).

As to claim 18, Cohen teaches a predetermined default value for the time-out threshold values (*col.6, lines 1-7*).

As to claim 19, the rejection of claim 1 above is incorporated herein in full. Additionally, Cohen further teaches a browser application (*see fig.5 and the graphical user interface discussion beginning at col.6, line 19*).

As to claim 20, Cohen teaches the activity indication notification includes, among other things, an identification of particular user initiated session (*col.5, line 30-col.6, line 7*).

As to claim 21, Cohen teaches a common timeout period is used as the inactivity timeout for the plurality of concurrently operating applications (*see the timeout discussion beginning at col.11, line 35*).

As to claim 22, it includes the same subject matter as in claim 10, and is similarly rejected under the same rationale.

As to claim 23, note the rejection of claim 1 above. Claim 23 is the same as claim 1, except claim 23 is a method claim and claim 1 is a system claim.

As to claim 24, it includes the same subject matter as in claim 10, and is similarly rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed December 19, 2005 have been fully considered but they are not persuasive.

In the remarks, Applicant argued in substance that (a) claim 1 recites a system for use in a first application...These features are not shown or suggested in Cohen and Tran; (b) the rejection on page 3 incorrectly states that Tran (with Cohen) teaches a system able to “prevent an inactivity timeout of said first application being initiated during normal operation of said first application by a managing application in response to a timeout window being exceeded; (c) the Cohen with Tran system does not suggest a “first application” of a plurality of concurrently

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operating applications for intermittently communicating an activity indication” generated “in response to user action” to a “managing application” to “prevent an inactivity timeout” of the first application being initiated during normal operation of said first application; (d) independent claim 10 recites a system for use by a managing application...These features are not shown or suggested in Cohen with Tran; (e) Cohen with Tran does not show an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications; and (f) Cohen with Tran fails to suggest a comparator for comparing individual.

Examiner respectfully traverses Applicant's remarks.

As to point (a), Applicant simply points out what is broadly recited in claim 1 and asserts that “these features are not shown or suggested in Cohen and Tran”. This response by Applicant is insufficient to satisfy the requirement of specific argument to have the claims considered for patentability; in accordance with 37 C.F.R. § 1.111 Applicant must distinctly and specifically point out “how the language of the claims patentably distinguishes them from the references”.

As to point (b), Tran’s timeout as discussed, beginning at col.9, line 43 (*e.g., the timeout condition is used to prevent the search from stalling at an inaccessible location...control and set limits on the remote access to a network*) in combination with Cohen meets the limitations as claimed.

As to point (c), the references do teach the recited claim limitations. As shown through the mapping provided in the claim rejections, the combination of Cohen and Tran meets the respective recited limitations in the claims as set forth in the previous Office Action.

As to point (d), again, Applicant simply points out what is broadly recited in claim 10 and asserts that “these features are not shown or suggested in Cohen with Tran”. This response by Applicant is insufficient to satisfy the requirement of specific argument to have the claims considered for patentability; in accordance with 37 C.F.R. § 1.111 Applicant must distinctly and specifically point out “how the language of the claims patentably distinguishes them from the references”.

As to point (e), Cohen teaches an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications (*e.g., modifies data; col.8, lines 45-62*).

As to point (f), Cohen teaches a comparator for comparing individual (*e.g., GUI screen identifying the systems/applications for a particular user; see fig.5.*)

Accordingly, the combination of Cohen and Tran meets all the limitations as broadly claimed by Applicant.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.

The examiner can normally be reached on Monday-Thursday from 8:30AM 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.


The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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